

EXHIBIT 9

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January 10, 2007

VIA FACSIMILE & FIRST CLASS MAIL

Joshua Robert McKoon
McKoon, Thomas, & McKoon
925 Broad Street
P.O. Box 3220
Phenix City, AL 36868

Re: David Davis v. Phenix City, Alabama, et al.; CA No. 3:06-cv-00544-VPM

Mr. McKoon:

Please allow this letter to serve as confirmation of our phone conversation today, in which you agreed to place Defendants' Rule 26 disclosures in the mail either today or tomorrow. As you know, these documents were originally due on October 6, 2006 and we have yet to receive them. Also, pursuant to our agreement to extend your deadline, Defendants' Response to Plaintiff's First Request for Production of Documents is due on Monday, January 15, 2007. If we do not receive those documents at that time, we will be forced to file a motion to compel the production of those documents with the court.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

WOODLEY & MCGILLIVARY


Bryan G. Polisuk